



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JRE

Docket No: 6738-99

12 September 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 September 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you served on active duty in the Navy from 5 May to 9 November 1966, when you were discharged by reason of unsuitability because of a character and behavior disorder. There is no indication in your naval health record that you were exposed to any significant physical or psychic trauma during your brief period of service, or that you suffered from a major mental disorder at the time of your discharge. It noted that when you applied for Veterans Administration disability benefits in 1983, 1984 and 1989, you attributed your claimed disability to other factors, such as marital and legal problems, and exposure to diesel fumes and cigarette smoke. You did not report the events which allegedly caused you to suffer from post traumatic stress disorder until 1999. The Board did not consider those reports to be credible.

As you have not demonstrated that you were unfit for further service by reason of physical disability at the time of your discharge, the Board was unable to recommend any corrective action in your case. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director